



COMMITTEE STATEMENT

**Opening Statement of Rep. Fred Keller (R-PA), Republican Leader
Subcommittee on Workforce Protections Hearing:
“Examining the Policies and Priorities of the Occupational Safety and Health
Administration”
May 25, 2022**

(As prepared for delivery)

“Every American worker has the right to safely return home to their families. Republicans support common-sense policies that achieve the goal of ensuring safe workplaces, and we support OSHA’s enforcement of the Occupational Safety and Health Act to hold bad actors accountable. That said, Committee Republicans will not shy away from holding OSHA accountable for overreach and predatory policies that unjustly target job creators and their workers.

“This overreach is clear in President Biden’s Fiscal Year 2023 budget, which requests an \$89.4 million funding increase for OSHA to be used for over-zealous enforcement and the development of new and onerous regulations that will force employers out of business.

“The request represents an overall funding increase of 15 percent from the FY 2022 enacted level and would add hundreds of new OSHA personnel. We are most concerned about the nearly 50 percent increase for OSHA’s office in charge of devising and writing regulations—not to mention the 18 percent increase for federal enforcement.

“OSHA’s most recent agenda includes a staggering list of 28 planned regulatory actions.

“This includes the regulations OSHA already has underway, including restoring provisions of the controversial Obama-era electronic reporting rule which would do nothing to improve workplace safety, but would severely burden businesses and put the personal data of their workers at risk. This strikes me as yet another attempt to place job creators in a regulatory stranglehold, which will continue to keep our economy from fully recovering from the pandemic.

“If OSHA gets this budget approved, it will be well on its way to fulfilling the administration’s pledge to double the number of inspectors by the end of Joe Biden’s presidency. Instead of spending so much of its efforts targeting job creators, OSHA should work with employers to expand its compliance assistance efforts.

“Compliance assistance benefits employees and job creators by protecting workers before an injury or illness can occur. Unfortunately, the Biden administration’s budget places less of an emphasis on these important efforts.

“The Biden administration isn’t shy about its anti-business agenda, and OSHA has lost a lot of trust with the American people. In the middle of a serious worker shortage, OSHA issued an illegal and unprecedented emergency temporary standard (ETS) which sought to force every American working for a company with more than 100 employees to get the COVID-19 vaccine, test weekly, or face losing their jobs.

“This harmed private sector businesses that were already struggling to recover from shutdowns by forcing them to choose between firing employees or facing massive penalties from the federal government. This was an impossible dilemma for businesses, and Biden’s OSHA seems all-too eager to keep putting job creators in that untenable position.

“Luckily, the Supreme Court stayed the OSHA vaccine-and-testing mandate, finding that it was a massive overreach of executive power.

“Had this tyrannical vaccine mandate not been stayed, it would have exacerbated a worker shortage and further crippled our economy. Moreover, the uncertainty surrounding the mandate put undue burdens on employers who were forced to act as vaccine-and-testing police on behalf of the federal government.

“Still, OSHA did not learn from its mistakes and has made the decision to revive the controversial COVID-19 ETS for the health care industry. Our health care industry is already straining to meet the needs of Americans without the Biden administration demanding additional and burdensome COVID-19 requirements.

“Democrats’ and OSHA’s misuse of the COVID-19 pandemic as a pretense to increase top-down federal control over the workplace is damaging to our economy and those that fuel it—America’s workers and job creators.

“Weaponizing OSHA against employers is not the way to make workers safer. But we know that if OSHA gets its massive funding increase, America’s workers and job creators can expect more of the same. We must work to keep this from happening and work to restore collaboration between the federal government and the private sector to ensure the nation’s workplaces are safe and healthy – it is important that we build policies that bring small businesses and other job creators and our workforce together, not drive them apart.”